

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHAWN T. BROOKS,

Plaintiff,

V.

DAVID POWELL, SHAUN LUEBBE,  
and CHERYL FLINN,

Defendants.

4:16CV3122

# MEMORANDUM AND ORDER

On July 21, 2016, the court ordered Plaintiff to pay the \$400.00 filing and administrative fees or file a request for leave to proceed in forma pauperis within 30 days or face dismissal of this action. To date, Plaintiff has not paid the fees, submitted a request for leave to proceed in forma pauperis, or taken any other action in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders. The court will enter judgment by a separate document.

DATED this 12<sup>th</sup> day of September, 2016.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge